

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

ORLANDA DEL CARMEN PEÑA ARITA, Individually,
as Next Friend of D.M.A. and C.M.A, and
Representative of the Estate of MARCO ANTONIO
MUÑOZ,

Plaintiff(s)

v.

UNITED STATES OF AMERICA, UNKNOWN UNITED
STATES CUSTOMS AND BORDER PROTECTION
AGENTS, THE COUNTY OF STARR, ET. AL.

Defendant(s)

Civil Action No. 7:19 -cv-00288

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Rene "Orta" Fuentes
Sheriff
County of Starr, Texas
102 E. 6th Street
Rio Grande City, Texas 78582

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Erin C. Oivares
Attorney-in-Charge for Plaintiff
State Bar No. 24065844
SDTX Bar No. 1015826
efren@texascivilrightsproject.org
Erin Thorn Vela
State Bar No. 24093261
SDTX Bar No. 2744303
erin@texascivilrightsproject.org

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: December 23, 2019



David J. Bradley, Clerk of Court

s/ Kathryn Nelson

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: